

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

ROBERT MARTIN, III	§	
VS.	§	CIVIL ACTION NO. 9:22-cv-39
ROGER BOYD, ET AL.	§	

MEMORANDUM OPINION AND ORDER REGARDING VENUE

Plaintiff Robert Martin, III, an inmate confined at the Polunsky Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Roger Boyd, Captain Herrera and Fabian Sierra.

Discussion

The Civil Rights Act, 42 U.S.C. § 1981, *et. seq.*, under which this case is brought, does not contain a specific venue provision. Accordingly, venue in civil rights cases is controlled by 28 U.S.C. § 1391. When, as in this case, jurisdiction is not founded solely on diversity of citizenship, 28 U.S.C. § 1391 provides that venue is proper only in the judicial district where the defendants reside or in which the claim arose.

Plaintiff complains of events which occurred at the Connally Unit. His claims therefore arose at the Connally Unit, which is in Karnes County, Texas. None of the defendants reside in the Eastern District of Texas.

Pursuant to 28 U.S.C. § 124(d)(4), Karnes County is located in the San Antonio Division of the Western District of Texas. As this case does not appear to have any connection with the Eastern District of Texas, the court is of the opinion this matter should be transferred to the San Antonio Division of the Western District.

**ORDER**

For the reasons set forth above, it is **ORDERED** that this civil rights action is **TRANSFERRED** to the San Antonio Division of the United States District Court for the Western District of Texas.

**SIGNED this the 30th day of March, 2022.**

A handwritten signature in black ink, appearing to read 'C. L. Stetson', written over a horizontal line.

Christine L Stetson  
UNITED STATES MAGISTRATE JUDGE